

United States Senate

WASHINGTON, DC 20510

September 20, 2006

The Honorable John Boehner
Majority Leader
U.S. House of Representatives
Washington, D.C. 20515

Dear Majority Leader Boehner:

We write to respectfully urge you to take final House floor action on the Animal Fighting Prohibition Enforcement Act prior to the recess so this legislation can be sent to the President. The Senate approved our bill, S. 382, by unanimous consent some 17 months ago. We have been anxiously awaiting House action on this subject because of our concerns about animal cruelty, widespread violence and criminal conduct associated with organized animal fights, and the spread of bird flu through the global traffic in cockfighting birds.

As you know, this legislation establishes a felony-level penalty for any interstate or foreign transport of animals for fighting purposes. The bill also makes it a crime to move cockfighting implements in interstate or foreign commerce.

Rarely has any piece of legislation had such broad and overwhelming support. The bill is supported by The Humane Society of the United States, American Veterinary Medical Association, National Chicken Council, National Sheriffs' Association, and more than 400 state and local law enforcement agencies covering every state in the country. These sheriffs and police departments recognize that animal fighting is an interstate industry – often associated with other crimes such as illegal gambling, drug trafficking, and acts of human violence. The only groups opposing the Animal Fighting Prohibition Enforcement Act are dogfighting and cockfighting interests.

As you know, Rep. Mark Green's bill (H.R. 817, which is identical to S. 382) has 319 cosponsors – more cosponsors than nearly any other bill in the House. The House has 152 Republican and 167 Democrat cosponsors. In fact, 29 of the 40 members of the Judiciary Committee are cosponsors of H.R. 817 – including 14 Republicans. The Subcommittee on Crime, Terrorism, and Homeland Security held a comprehensive hearing on H.R. 817 on May 18, 2006, so there is no reason for further delay.

Passing felony-level penalties for illegal dogfighting and cockfighting is not a new step for Congress to take. In 2001, during consideration of the Farm Bill, the House and Senate approved identical amendments to make interstate transport or foreign commerce in fighting animals a felony. Despite its adoption by both chambers, the penalty provision was dropped in conference.

In 2003, the Senate approved an Ensign-Santorum amendment to the Healthy Forests bill to establish a felony penalty for animal fighting, yet this provision too was dropped in conference. In 2004, the House Subcommittee on Crime, Terrorism, and Homeland Security passed H.R.

4264 (identical to H.R. 817 in the current Congress) by voice vote. The Judiciary Committee approved H.R. 4264 by an overwhelming margin on September 30, 2004, but the House did not take up the legislation before the end of the 108th Congress.

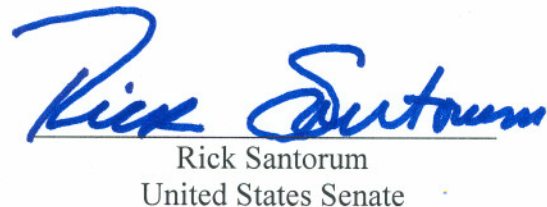
There are 48 states with felony penalties for dogfighting and 33 states with felony penalties for cockfighting. The need for this legislation has become even more urgent, as the illegal transport of cockfighting birds has been linked to the spread of deadly bird flu. The poultry industry, veterinary community, law enforcement agencies, and animal welfare organizations support this legislation. We believe it is incumbent on the Congress to take final action on this legislation.

We respectfully ask you to place the Animal Fighting Prohibition Enforcement Act on the House Suspension Calendar prior to the upcoming recess.

Sincerely,



John Ensign
United States Senate



Rick Santorum
United States Senate